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Certification under 37 CFR 1.8(a)

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with The United States Postal Service with sufficient postage as first class mail in an envelope addressed to THE COMMISSIONER FOR PATENTS, P.O. Box 1450, Alexandria, VA 22313-1450 on September 8, 2004.

W. Dennis Drehkoff (Reg. No. 27193)
Name

Signature

DOCKET: CU-3428

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Phil Narini et al.

Serial No.: 10/782,553 Group Art Unit:

Filed: February 19, 2004 Examiner:

For: MEDICATED GEL FOAM PAD AND METHOD OF USE

THE COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT WITHIN THREE MONTHS OF FILING OR BEFORE MAILING OF FIRST OFFICE ACTION

The information disclosure statement submitted herewith is being filed within three months of the filing date of the application or date of entry into the national stage of an international application or before the mailing date of the first Office Action on the merits, whichever event occurs last. 37 CFR 1.97(b).

Date: September 8, 2004

Signature of Attorney
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INFORMATION DISCLOSURE STATEMENT

Applicants submit herewith patents, publications or other information of which the applicants are aware, which may be material to the examination of this application and in respect of which there may be a duty to disclose under 37 CFR 1.56.

The filing of this information disclosure statement shall not be construed as a representation that a search has been made (37 CFR 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability or that no other material information exists.

The filing of this information disclosure statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 1135 O.G. 13-25, at 25.

The references submitted herein are listed on PTO-1449 form (modified) enclosed herewith. A copy of each reference listed is being furnished except any duplicate or cumulative patents or publications specified otherwise. Also, if the present application was filed after June 30, 2003, copies of US patents or published applications are not submitted in accordance with the USPTO Rule changes.

A translation of any foreign language reference, if any, is indicated in PTO-1449 form and being submitted herein if it is readily available. Otherwise it should be construed that such translation is not readily available.

Additional comments, if any, on the relevance of each reference listed are provided as follows:

The Statement is made on the basis of the information:

_____ supplied by the inventor(s);
__X__ supplied by an individual associated with the filing and prosecution of this application (37 CFR 1.56(c)); or
_____ in the attorney's file.

Respectfully submitted,

Date: September 8, 2004

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Form **PTO-1449** (Modified)

FORM PTO-1449	ATTY. DOCKET NO. CU-3428	SERIAL NO. 10/782,553
INFORMATION DISCLOSURE STATEMENT BY APPLICANT	APPLICANT Phil Narini et al.	
(37 CFR 1.98(b))	FILING DATE February 19, 2004	GROUP

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		PATENT NUMBER	ISSUE DATE	PATENTEE	CLASS	SUB-CLASS	FILING DATE IF APPROPRIATE
	US	6 1 3 5 1 1 6	10-24-00	Vogel et al.			
	US	6 4 5 8 1 0 9	10-1-02	Henley et al.			
	US	6 5 2 0 9 8 2	2-18-03	Boynton et al.			

FOREIGN PATENT OR PUBLISHED FOREIGN PATENT APPLICATION

EXAMINER INITIAL		DOCUMENT NUMBER	PUBLICATION DATE	COUNTRY OR PATENT OFFICE	CLASS	SUB-CLASS	TRANSLATION YES	NO

OTHER DOCUMENTS (Including Author, Title, Date, Place of publication)

			Foot Ankle Int., 2002 Oct; 23(10): 896-901
			FAQs: V.A.C. Therapy, November 1, 2001, www.kci1.com/products/vac/faq.asp
			Clinical Policy Bulletins Number 0334, Aetna, September 12, 2003, www.aetna.com/cpb/data/CPBA0334.html

EXAMINER	DATE CONSIDERED

EXAMINER: Initial citation considered. Draw line through citation if not In conformance and not considered. Include copy of this form with next communication to applicant.